NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

DONALD RAY HILL,	No. 00-55686
Petitioner - Appellant,	D.C. No. CV-98-07298-RSLW
v.	
DENISE MAYLE, Warden,	MEMORANDUM[*]
Respondent - Appellee.	

Appeal from the United States District Court
for the Central District of California
Ronald S.W. Lew, District Judge, Presiding

Argued and Submitted June 5, 2003
Pasadena, California

Before: REINHARDT, O'SCANNLAIN, and FISHER, Circuit Judges.

Donald Hill appeals from the district court's denial of his writ of habeas

corpus. The facts and prior proceedings are known to the parties, and are restated

herein only as necessary.

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[*] This disposition is not appropriate for publication and may not be cited to or
by the courts of this circuit except as may be provided by Ninth Circuit Rule 36-3.

We may grant a writ only if the state court's decision was "contrary to or involved an unreasonable application of clearly established federal law, as determined by the Supreme Court of the United States." 28 U.S.C. § 2254(d)(1); *see also Woodford v. Visciotti*, 537 U.S. 19 (2002). Here, the California appellate court concluded that the failure to introduce Dr. Maloney's report was not prejudicial. *See Strickland v. Washington*, 466 U.S. 668, 687 (1984).

We cannot conclude that its decision was an unreasonable application of federal law. Dr. Maloney's report was largely cumulative of the evidence already before the court. The court had Jay Goldstein's report, Wilton Jones's letter, and the Supplemental Probation Officer's Report, all of which detail Hill's problems with drug addiction. Moreover, Dr. Maloney failed to find that Hill had any mental deficiencies. Under these facts, it was not unreasonable for the California Court of Appeal to conclude that the introduction of Dr. Maloney's report would not have had an effect on the trial court's sentencing decision. *See United States v. Bagley*, 473 U.S. 667, 682 (1985).

Accordingly, the district court's decision is

AFFIRMED.